

02/13/02



02-14-02

PTO/SB/05 (11-00)

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0032

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 004027.00019

First Inventor Mitchell J. Hubert

Title Aqueous Foamable Concentrates and Methods

Express Mail Label No. EV020898260US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 19]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets]
5. Oath or Declaration [Total Pages 2]
- a. ☐ Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
- b. ☒ (for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. 09 / 627,889

Prior application information:

Examiner Webb, Gregory E.

Group Art Unit 1751

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

22910

(Insert Customer No. or Attach bar code label here)

or ☐

Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Peter D. McDermott

Registration No. (Attorney/Agent)

29,411

Signature

Date

February 13, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

FEE TRANSMITTAL

for FY 2000

Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$740.00)

Complete if Known

Application Number
Filing Date February 11, 2002
First Named Inventor Mitchell J. Hubert
Examiner Name
Group / Art Unit
Attorney Docket No. 004027.00019

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-0733

Deposit Account Name Banner & Witcoff, LTD

☒ Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Code | Large Entity Fee (\$) | Small Entity Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-------------------|-----------------------|-------------------|-----------------------|------------------------|----------|
| 101 | 690 | 201 | 345 | Utility filing fee | 740.00 |
| 106 | 310 | 206 | 155 | Design filing fee | |
| 107 | 480 | 207 | 240 | Plant filing fee | |
| 108 | 690 | 208 | 345 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |

SUBTOTAL (1) (\$740.00)

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 3 | -20** = 0 | 18 | 0 |
| Independent Claims | 1 - 3** = 0 | 80 | 0 |
| Multiple Dependent | | | 0 |

**or number previously paid, if greater; For Reissues, see below

| Large Entity Code | Large Entity Fee (\$) | Small Entity Code | Small Entity Fee (\$) | Fee Description |
|-------------------|-----------------------|-------------------|-----------------------|--|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 78 | 202 | 39 | Independent claims in excess of 3 |
| 104 | 260 | 204 | 130 | Multiple dependent claim, if not paid |
| 109 | 78 | 209 | 39 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$0.00)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Code | Large Entity Fee (\$) | Small Entity Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|---------------------|-----------------------|-------------------|-----------------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 0.00 |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | 0.00 |
| 139 | 130 | 139 | 130 | Non-English specification | 0.00 |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | 0.00 |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | 0.00 |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | 0.00 |
| 115 | 110 | 215 | 55 | Extension for reply within first month | 0.00 |
| 116 | 380 | 216 | 190 | Extension for reply within second month | 0.00 |
| 117 | 870 | 217 | 435 | Extension for reply within third month | 0.00 |
| 118 | 1,360 | 218 | 680 | Extension for reply within fourth month | 0.00 |
| 128 | 1,850 | 228 | 925 | Extension for reply within fifth month | 0.00 |
| 119 | 300 | 219 | 150 | Notice of Appeal | 0.00 |
| 120 | 300 | 220 | 150 | Filing a brief in support of an appeal | 0.00 |
| 121 | 260 | 221 | 130 | Request for oral hearing | 0.00 |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | 0.00 |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | 0.00 |
| 141 | 1,210 | 241 | 605 | Petition to revive - unintentional | 0.00 |
| 142 | 1,210 | 242 | 605 | Utility issue fee (or reissue) | 0.00 |
| 143 | 430 | 243 | 215 | Design issue fee | 0.00 |
| 144 | 580 | 244 | 290 | Plant issue fee | 0.00 |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | 0.00 |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | 0.00 |
| 126 | 240 | 126 | 240 | Submission of Information Disclosure Stmt | 0.00 |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | 0.00 |
| 146 | 690 | 246 | 345 | Filing a submission after final rejection (37 CFR § 1.129(a)) | 0.00 |
| 149 | 690 | 249 | 345 | For each additional invention to be examined (37 CFR § 1.129(b)) | 0.00 |
| Other fee (specify) | | | | | 0.00 |
| Other fee (specify) | | | | | 0.00 |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0.00)

SUBMITTED BY

Name (Print/Type) Peter D. McDermott

Signature

Registration No. (Attorney/Agent)

29,411

Complete (if applicable)

Telephone 1-617-227-7111

Date 13 Feb 2002

WARNING:

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